

**LEWIS
BRISBOIS
BISGAARD
& SMITH LLP**

ATTORNEYS AT LAW

199 Water Street, Suite 2500
New York, NY 10038
Telephone: 212.232.1300
Fax: 212.232.1399
www.lbbslaw.com

JURA C. ZIBAS
DIRECT DIAL: 212.232.1353
E-MAIL: ZIBAS@lbbslaw.com

July 19, 2010

File No.
50013-685

VIA ECF

Honorable Steven M. Gold
Chief Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East, Room 1217
Brooklyn, New York 11201

Re: Johnson & Johnson, et al. v. South Pointe Wholesale Inc., E.D.N.Y., 08 CIV 1297
(SLT)(SMG)

Dear Judge Gold:

We represent defendants MSI Medical Supply, Inc. ("MSI") and Michael Barba in connection with the above-referenced matter. We submit this letter motion to join in to the request made by QK Healthcare, Inc. on July 8, 2010 filed with this Court. As mentioned in the letter motion of QK Healthcare, Inc., defendants have discovery disputes or discovery outstanding which will not be resolved before August 1, 2010.

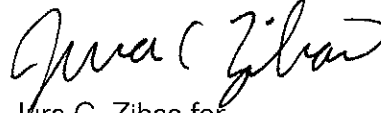
By way of background, MSI was named as a defendant in the Sixth Amended Complaint. An Answer was filed by MSI in July 2009 and since that time, MSI has been working diligently to obtain copies of documents, transcripts and other relevant information regarding the allegations as to MSI in this matter. To date, plaintiffs have yet to provide responsive documents to document requests that plaintiffs agreed to produce in May 2010. In addition, MSI has served non-party subpoenas and several non-parties have requested a Protective Order in order to produce responsive documents. One such protective order was filed with Your Honor on July 9, 2010 and documents will not be produced by the non-party until such time as a Protective Order is signed by the Court.

In addition, following the Discovery and Inspection held at Lifescan, Inc. in Milpitas, California, and after receipt of responses to discovery requests, MSI has found that additional discovery is required and was not provided up to this date.

Thus, MSI joins in the request of the co-defendants in requesting an extension of time for discovery. We respectfully request to join into the instant application to be heard on July 26, 2010.

Honorable Steven M. Gold
July 19, 2010
Page 2

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Jara C. Zibas". The signature is fluid and cursive, with the first name "Jara" being more prominent.

Jara C. Zibas for
LEWIS BRISBOIS BISGAARD & SMITH LLP

cc: All Counsel of Record via ECF